

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OXFORD BIOMEDICAL RESEARCH, INC.,
a Michigan corporation,

Plaintiff,

Case No. 05-60274

v.

Hon. John Corbett O'Meara

INVITROGEN CORPORATION,

Defendant.

**ORDER OVERRULING OBJECTIONS
TO MAGISTRATE'S FEBRUARY 6 AND FEBRUARY 9, 2009 ORDERS**

Before the court is Defendant Invitrogen Corporation's objections to Magistrate Judge Scheer's February 6 and February 9, 2009 orders striking Defendant's witness lists. Plaintiff filed a response on March 3, 2009. Trial in this matter is scheduled for March 17, 2009.

Pursuant to 28 U.S.C. § 636(b)(1)(A), this court may modify or set aside any portion of Magistrate Judge Scheer's non-dispositive order that is "clearly erroneous or contrary to law." See also Fed. R. Civ. P. 72(a). Having reviewed the parties' submissions and the applicable legal authority, the court concludes that Magistrate Judge Scheer's decision was not clearly erroneous or contrary to law.

Accordingly, IT IS HEREBY ORDERED that Invitrogen's objections to Magistrate Judge Scheer's February 6 and February 9, 2009 orders are OVERRULED.

s/John Corbett O'Meara
United States District Judge

Date: March 5, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, March 5, 2009, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager